

DECL 102.001APC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Deleu, et al.  
Appl. No. : 10/519,734  
Filed : July 25, 2005  
For : NOVEL USE OF LIPOPEPTIDE  
PREPARATIONS  
Examiner : Unknown

Group Art Unit 1646

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 29, 2005

(Date)

*Che S. Chereskin*

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
P.O. Box 1450  
Office of Initial Patent Examination  
Customer Service Center  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that the Official Filing Receipt, a copy of which is enclosed, be corrected. Presently, the name of the tenth inventor, Bernard Joris, has been omitted. Attached is documentation supporting this requested change.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Aug 29 2005

By: *Che S. Chereskin*

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404

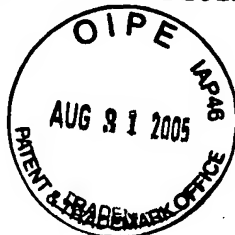


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/519,734	07/25/2005	1646	690	DECLE102.001APC	8	27	1

20995  
KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614



CONFIRMATION NO. 5137

## FILING RECEIPT



\*OC000000016705839\*

Date Mailed: 08/10/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Magali Deleu, Sombreffe, BELGIUM;  
Robert Brasseur, Haillot, BELGIUM;  
Michel Paquot, Noville-sur-Mehaigne, BELGIUM;  
Herve Legros, Gembloux, BELGIUM;  
Samuel Dufour, Gembloux, BELGIUM;  
Philippe Jacques, Liege, BELGIUM;  
Jacqueline Destain, Chastre, BELGIUM;  
Philippe Thonart, Saint Denis, BELGIUM;  
Alain Brans, Beauvais, BELGIUM;  
Jean-Marie Frerc, Nandrin, BELGIUM; — Bernard Joris, Spa, BELGIUM

**Power of Attorney:** The patent practitioners associated with Customer Number 20995.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/EP03/06817 06/27/2003

**Foreign Applications**

EUROPEAN PATENT OFFICE (EPO) 02077567.2 06/28/2002  
EUROPEAN PATENT OFFICE (EPO) 02080663.4 12/20/2002

**Projected Publication Date:** 11/10/2005

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

Title

Novel use of lipopeptide preparations

Preliminary Class

514

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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## DECLARATION AND POWER OF ATTORNEY - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled NOVEL USE OF LIPOPEPTIDE PREPARATIONS the specification of which:

- (a) ☐ is attached hereto; or
- (b) ☒ was filed on December 28, 2004 as Application No. 10/519,734 or Express Mail No., as Application No. not yet known \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable); or
- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any) and/or under PCT Article 34 on \_\_\_\_\_ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application(s) of which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 U.S.C. § 119
Europe	02077567.2	06/28/02	x YES NO <input type="radio"/>
Europe	02080663.4	12/20/02	x YES , NO <input type="radio"/>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section



1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Magali Deleu

Inventor's signature [Signature] Day 12 Month July Year 2005

Residence (city and country): Chaussée Romaine, 34, B-5140 Sombrefe, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of second inventor: Robert Brasseur

Inventor's signature [Signature] Day 6 Month July Year 2005

Residence (city and country): Voie des Gérons, 250, B-5351 Haillot, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of third inventor: Michel Paquot

Inventor's signature [Signature] Day 6 Month July Year 2005

Residence (city and country): Rue Tige à la saule, 2, B-5310 Noville-sur-Mehaigne, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of fourth inventor: Hervé Legros

Inventor's signature [Signature] Day 6 Month July Year 2005

Residence (city and country): rue Buisson Saint-Guibert, 30A, B-5030 Gembloux, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of fifth inventor: Samuel Dufour


Inventor's signature [Signature] Day 6 Month July Year 2005

Residence (city and country): rue de la Vôte, 21, B-5030 Gembloux, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of sixth inventor: Philippe Jacques

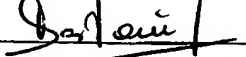
Inventor's signature  Day 6 Month July Year 2005

Residence (city and country): rue Ambiorix, 21, B-4000 Liège, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of seventh inventor: Jacqueline Destain


Inventor's signature  Day 6 Month July Year 2005

Residence (city and country): rue du Corsal, 49, B-1450 Chastre, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of eighth inventor: Philippe Thonart


Inventor's signature  Day 6 Month July Year 2005

Residence (city and country): chaussée d'Eghezée, 36, B-5081 Saint Denis, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of ninth inventor: Alain Brans


Inventor's signature  Day 6 Month July Year 2005

Residence (city and country): au Tiège, 21, B-4052 Beaufays, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of tenth inventor: Bernard Joris

Inventor's signature  Day 6 Month July Year 2005

Residence (city and country): chemin des Moutons, 66, B-4900 Spa, Belgium

Citizenship: Belgian

Post Office Address: same

Full name of eleventh inventor: Jean-Marie Frere

Inventor's signature

Day

7

Month

7

Year

05

Residence (city and country): chemin Sotrez, 85, B-4550 Nandrin, Belgium

Citizenship: Belgian

Post Office Address: same

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KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

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